



U.S. Department of the Interior
Bureau of Land Management

California Desert District
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Decision Record/FONSI CDCA Plan Amendment

Route Designation Project in the Northern and Eastern Mojave Desert





The Bureau *Today* *of* Land Management

Our Vision

To enhance the quality of life for all citizens through the balanced stewardship of America's public lands and resources.

Our Mission

To sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

Our Values

To serve with honesty, integrity, accountability, respect, courage, and commitment to make a difference.

Our Priorities

To improve the health and productivity of the land to support the BLM multiple-use mission.

To cultivate community-based conservation, citizen-centered stewardship, and partnership through consultation, cooperation, and communication.

To respect, value, and support our employees, giving them resources and opportunities to succeed.

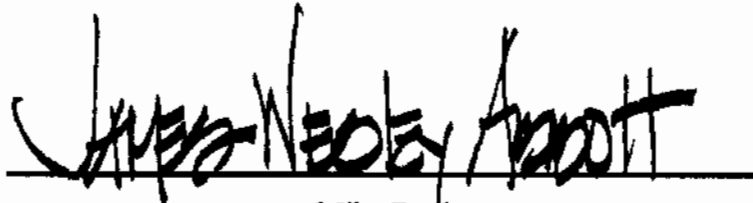
To pursue excellence in business practices, improve accountability to our stakeholders, and deliver better service to our customers.

DECISION RECORD/FONSI

NORTHERN & EASTERN MOJAVE DESERT ROUTES OF TRAVEL DESIGNATION PROJECT AN AMENDMENT TO THE CDCA PLAN

covering portions of San Bernardino, Inyo, and Mono Counties, California

JUL 02 2004



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Environmental Assessment Number CA-680-2003-52

I. SUMMARY

This document includes the Bureau of Land Management's (BLM) decision and supporting documentation for the *Proposed Route Designation in the Northern and Eastern Mojave Desert (May 14, 2004)* (referred to herein as NEMO Routes Plan) based on the environmental assessment in the proposed plan, additional interagency coordination, protest issues raised, and other management considerations. Included in the decision record are the following components: a summary of the decision, a summary of the alternatives considered, a section on management considerations which discusses the rationales for the decision and includes a finding of no significant impact, a brief overview of mitigation measures, a discussion of plan monitoring, evaluation and adaptive management that includes discussions on modification of the network and implementation of the route designations, and a discussion of public involvement.

The Northern and Eastern Mojave Desert (NEMO) is located in the northeastern portion of the California Desert Conservation Area (CDCA) of southern California and offers diverse recreational and scenic opportunities for off-highway vehicle (OHV) touring in a remote, yet accessible area of the California Desert District. BLM manages OHV use, so that the conditions of special status species and other natural and cultural resources are maintained or improved. In addition, the type and level of OHV use is managed to create an environment that promotes the health and safety of visitors and workers within the area, and alleviates conflict between nearby residents and diverse recreational users.

The NEMO Routes Plan updates previous route designations and adopts a network of motorized vehicle access routes as a component of the CDCA Plan. This network designates 91 percent of identified routes in the planning area open, within approximately 1.3 million acres of public lands of the Northern and Eastern Mojave Desert.

Since 1980 when the CDCA Plan was adopted, BLM has taken a number of steps to designate a network of motorized vehicle routes on public lands within the Northern and Eastern Mojave Desert. The most comprehensive efforts that included route designation for the NEMO Routes planning area were completed in 1985 for the northern portion of the planning area, and 1987 for the central and southern portions of the planning area. Other significant route designations occurred both before and after these designations as part of site-specific Area of Critical Environmental Concern (ACEC) planning.¹ Since these designations were accomplished, several regulatory changes have taken place that relate to the Northern and Eastern Mojave Desert, and substantial land tenure changes have occurred.

¹ This does not include the desert tortoise bioregion route designations (Desert Wildlife Management Areas and adjacent lands) that were designated as part of the NEMO Bioregional Plan and Environmental Impact Statement (2002), since adequate plan monitoring data does not yet exist to revisit them within the NEMO Routes Plan/EA. They are included in the study area, rather than the planning area.

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The U.S. Fish and Wildlife Service (USFWS) listed the desert tortoise, including the northeastern and eastern Mojave populations as threatened (April 2, 1990), as well completed initial listings on migratory birds and recognition of other riparian species in the Northern and Eastern Mojave Desert (southwestern willow flycatcher, listed as endangered February 27, 1995, draft recovery plan, 2001). The USFWS has also followed up earlier listings with critical habitat designations and/or draft or final recovery plans and designated critical habitat for species within the planning area, including the Amargosa vole which had previously been listed as endangered, (Recovery Plan in September, 1997); and two other migratory bird species one that frequents the central Amargosa (federally endangered vireo-draft recovery plan, 1998) and one that frequents portions of the southern Argus Range (Inyo California towhee, listed August 3, 1987, range expanded to include portions of NEMO from surveys completed within the last five years).

Land tenure changes and route closures have occurred as a result of the California Desert Protection Act of 1994, the Fort Irwin Military Land Withdrawal Act of 2001, and the Timbisha Shoshone Homeland Act of 2000. In addition, acquisition of over 477,000 acres of land formerly owned by Catellus Corporation within the CDCA using a combination of purchase (with Land and Water Conservation Funds) and donation from The Wildlands Conservancy and Catellus, has resulted in substantial land tenure changes in the last 5 years. Much of these lands are in Desert Wildlife Management Areas, wilderness areas, and ACECs.

The purpose of the NEMO Routes Plan is to update existing designations to reflect these changes, and to adopt the revised network as a component of the CDCA Plan through this plan amendment.

The NEMO Routes Plan and EA establishes site-specific route designations and tiers from the CDCA Plan and Environmental Impact Statement (EIS) of 1980, as modified by the NEMO Plan Amendment and EIS (2002) for Routes of Travel and associated resource values (e.g., desert tortoise outside of Desert Wildlife Management Areas). The NEMO Plan/EIS (2002) outlined the overall route designation strategy for the NEMO planning area, including the timing of these later site-specific designations.

Areas that are addressed in these route designations include almost 200,000 acres of Wilderness Study Areas which Congress has yet to designate or release and state or nationally recognized trails in the NEMO planning area, including the proposed Back Country Discovery Trail routes, the Mojave Trail², and the recently designated Old Spanish National Historic Trail that have been identified as part of the network of routes in the approved Plan. A map of the Back Country Discovery Trail routes is available for review at local field offices and will be subsequently published. This OHV backcountry vehicle touring route network is a program of the State of California and of various BLM offices developed in conjunction with local agencies and non-profit organizations to promote touring of the historical area and provide interpretative information. Numerous important historical sites and habitat for several sensitive or endangered animal species are also present in the area, as is evident by the USFWS listings.

² This includes those portions that were designated in NEMO (2002).

II. DECISION

The proposed amendment as described below is approved.

A. Summary

The CDCA Plan, Motorized Vehicle Access Element, is amended to adopt the motorized vehicle access network described in the proposed NEMO Routes Plan, as modified in response to suggestions submitted by commenters. These modifications include corrections relating to errors, update of information, and changes to correct oversights. The NEMO Routes area is that portion of the NEMO planning area in which routes of travel were not previously designated in the NEMO EIS (2002). Decisions include:

- Amendment of the CDCA Plan to adopt a network of open, limited and closed motorized vehicle access routes as a component of the CDCA Plan;
- Amendment of the CDCA Plan to adopt procedures guiding future modifications of the motorized vehicle access network;
- Adoption of a strategy to guide the future implementation of the route network (this is **not** a CDCA Plan Amendment).

Routes of travel decisions that are not being made in this plan amendment but will be made in follow-up planning efforts include (a) the Surprise Canyon wilderness corridor route and (b) the Furnace Creek route adjacent to the Inyo National Forest. Feedback during public scoping for NEMO (2002) and/or this current approved plan, need for effective public input for these areas, and interagency coordination were factors in the decisions to handle these routes in separate site-specific evaluations.

B. Motor Vehicle Access Network

The CDCA Plan, Motor Vehicle Access Element is amended to adopt the approved route network, as modified. The approved motor vehicle access network is described in the CD-ROM maps of the Proposed NEMO Routes Plan as amended by the changes in Table 1 that follows with errata. The approved plan map will be available online at www.ca.blm.gov/barstow and will subsequently be made available for public distribution.

Modifications of the route network described in the maps attached to the Proposed NEMO Routes Plan are presented in Table 1. Comments identified specific errors that changed criteria inputs (e.g., resource conflicts, private property access concerns) and therefore subsequent decision tree outcomes. Other comments, more appropriate for plan maintenance, will be responded to through the process established herein for modification of the route network (See Section VI.A. in this Decision Record). The table identifies the number of the Proposed Routes Plan map on which the route in question can be found. The number and/or location of the subject route in question is also identified.

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MAP	ROUTE #	ACTION	COMMENT
Salsberry Peak (PA_B6)	AR024	Open A5	Access to Open Death Valley National Park (DVNP) Route identified as Closed in Proposed Plan.
Salsberry Peak (PA_B6)	AR026	Open A5	Access to Open DVNP Route identified as Closed in Proposed Plan.
Salsberry Peak (PA_B6)	AR027	Open A5	Access to Open DVNP Route identified as Closed in Proposed Plan.
Avawatz Pass (PA_B10)	D218	Open A1, A5	Open route through “Bowling Alley” identified as ending mistakenly—continues for several miles to provide major 4-wheel access into this area and access to communication site
Salsberry Peak (PA_B6)	D362	Open A1	Paved Route, Access to Communication Site, northward State Route 127
Clark Mtn (PA_N2)	NN0399	Open A5	Stateline Wilderness Trailhead Access
Chocolate Mtn (PA_R3) Last Chance Mtn (PA_R4)	F0892	Open A5	Previously identified as County Road which actually branches off to south.

Mapping error corrections (e.g., missing route names or edits to those names, connecting routes that did not quite connect in the proposed plan, etc.) will also be incorporated into the approved map consistent with the plan maintenance guidelines outlined in this Decision Record.

III. ALTERNATIVES CONSIDERED

The alternatives considered in detail in the NEMO Routes Plan Environmental Assessment include the Proposed Action (which is the proposed plan amendment), No Action, Enhanced Recreation Opportunities and Access, and Enhanced Resource Protection. All alternatives provide for camping 300 feet off of designated open routes, consistent with the CDCA Plan, except where ACECs or other plan amendments have otherwise already provided in sensitive areas. No changes were proposed in this provision of the CDCA Plan in the alternatives, as these issues are already being adequately addressed in site-specific plans in larger sensitive areas, and a mechanism is in place to identify a no-camping zone on a site-specific basis if resource values, safety concerns, or other issues require it.

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- **Proposed Action:** The proposed plan amendment creates a route network that balances the need to conserve natural and cultural resources while providing for OHV recreation opportunities and other access needs throughout the NEMO Routes area. Throughout the planning area, the route network is the 1985 and 1987 networks as updated with staff information and U.S. Geological Survey (USGS) maps, site-specific surveys conducted by the Ridgecrest and Barstow Field Offices in specific problem areas, including data from site-specific ACEC plan route networks as field checked, and specific routes designated through the CDCA Plan, as amended by the NEMO Plan/EIS (2002).
- **No Action:** The No Action Alternative would retain BLM's route network as previously designated on the ground and shown on Desert Access Guide maps distributed to the public. It reflects the 1985 and 1987 designations as updated by ACEC plan amendments and the NEMO Plan (2002). Under the No Action Alternative, 167 miles of routes that have been identified during this planning effort would not be designated. These routes would require an additional site-specific analysis for designation.
- **Enhanced Recreation Opportunities and Access:** The Enhanced Recreation Opportunities and Access Alternative is more access and motorized recreation oriented than the other alternatives, in response to past legislation and conservation strategies limiting access elsewhere in the CDCA and in ACECs within the planning area that have identified wilderness, special species and other sensitive resource value emphasis areas. It designates the maximum amount of open routes outside of special areas, and provides some additional access within special areas, as feasible.
- **Enhanced Resource Protection:** The Enhanced Resource Protection Alternative is more environmentally conservative than the other alternatives. It provides for a reasonable network of routes within the remaining NEMO Routes planning area, with fewer routes designated as open adjacent to sensitive areas. This alternative is identified as the environmentally preferable alternative (40 Code of Federal Regulations or CFR 1505.2(b)) in accordance with the National Environmental Policy Act. It allows less surface disturbance than the other alternatives and promotes protection of more sensitive areas along routes, particularly within riparian areas.

A complete description of the alternatives analyzed in detail is contained in the EA, including a set of maps to accompany the proposed plan amendment and each alternative.

IV. MANAGEMENT CONSIDERATIONS (RATIONALE)

Approval of the NEMO Routes Plan is necessary to update BLM's current motor vehicle route network in the NEMO planning area, to reflect new circumstances that have arisen since the development of the original network, and integrate new information since that time.

Route designation for the NEMO Routes planning area was completed in 1985 for northern portion of the planning area, and 1987 for central and southern portions of the planning area. Notices announcing these designation decisions were published in the Federal Register on

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August 21, 1985, June 19, 1987, and September 22, 1987. Route designations were also made for ACECs within the NEMO Routes planning area during the preparation of ACEC management plans throughout the 1980s.

The USFWS listed the desert tortoise as threatened in 1990, and designated critical habitat for the NEMO populations in 1994. Three migratory birds with known habitat in the NEMO Routes planning area were listed and/or had critical habitat and/or recovery plans developed after 1987. Finally, USFWS had previously listed the Amargosa vole as endangered in 1984. However, a recovery plan was identified in 1994. These designations postdated the design and adoption of most of the 1985 and 1987 network, although some had been considered in previous ACEC management planning to a certain degree. The Inyo California towhee, listed August 3, 1987, had its range expanded to include portions of NEMO from surveys completed within the last five years. Other migratory birds have been considered at least in large part, in previous ACEC management planning due to the location of their favored riparian habitat with ACECs. Listed plants with designated critical habitat in the planning area were considered in the context of an Unusual Plant Assemblage at the time of 1987 designations. Land tenure changes and route closures that have occurred since the previous designations include the California Desert Protection Act of 1994, the Fort Irwin Military Land Withdrawal Act of 2001, Timbisha Shoshone Homeland Act of 2000, and Wildlands/Catellus land acquisition agreement and implementation.

During the public scoping for this project, some members of the public requested that BLM prepare an EIS rather than an Environmental Assessment. BLM decided to continue with the preparation of the Environmental Assessment, but on a more detailed and expanded level than is typically written. An expanded Environmental Assessment was chosen over an Environmental Impact Statement because it was believed that the proposed action could be developed to avoid significant adverse impacts which in this area are more localized rather than regional; because many of the sensitive resource issues have already been addressed in previous site-specific planning efforts that were incorporated and updated in this document; because this route designation effort tiers off an existing EIS plan amendment that addressed the route designation process for the entire NEMO planning area and had already evaluated the cumulative effects of the process; and because this process is adaptive and can be modified with new information (see Section VI.A.).

A. Finding Of No Significant Impact

After complete review of the scoping comments, potential impacts identified in the Environmental Assessment, comments, coordination and consultation input received from other agencies, BLM has again considered the need for an EIS.

Based upon review of the Environmental Assessment and supporting project record, it has been determined that the proposed plan amendment is not a major Federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. Therefore, an EIS is not needed.

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This finding is based on the following considerations:

Context: Portions of the project area falls within Category III habitat for the federally listed desert tortoise, critical habitat for the Amargosa vole, habitat for the southwestern willow flycatcher, the least Bell's vireo the California Inyo towhee, the Amargosa niterwort, the Ash Meadows gumplant, and the Centaury. The discussion of significance criteria that follows applies to the intended action and is within the context of local importance. The Environmental Assessment and proposed plan amendment details the effects of the project and are incorporated by reference into this FONSI. None of the effects identified including direct, indirect and cumulative effects, are considered to be significant, based on the lack of routes in much of the habitat, on the route closures proposed, and on conformance with the overall Desert Tortoise Recovery Strategy adopted in NEMO (2002).

Intensity: This issue is addressed through the ten "significance" criteria described in 40 CFR 1508.27, and discussed below.

1) Impacts may be both beneficial and adverse.

Due to the design features of the approved plan amendment, the predictive effects would include increased habitat and habitat protection for the Amargosa niterwort, the southwestern willow flycatcher, and the least Bell's vireo compared to the current conditions. Increased protection for cultural and archeological resources is predicted as well. The proposed plan amendment should reduce the air emissions compared to the current conditions. The rehabilitation of routes that are designated as closed and routes that should not be present will result in less air emissions due to wind erosion, more habitat and species protection and better conservation of cultural resources. Some adverse impacts are predicted. However, of all the alternatives, the proposed plan amendment provides the best balance between the recreational use and conservation of natural and environmental resources and provides substantially fewer and less intense impacts compared to the current conditions. Details concerning the effects of the proposed plan amendment are included in the Environmental Assessment and proposed plan amendment.

2) The degree to which the selected alternative will affect public health or safety.

Public health and safety were identified as an issue. The approved plan amendment is comparable to other route designation projects that have occurred within the California Desert District. Some risk is a part of any OHV activity. Locations of past accident and other safety factors were considered in developing the alternatives and choosing the proposed plan amendment. BLM law enforcement and recreation staff reviewed the route network for each alternative in the NEMO project. Staff did identify one specific route as having a significant accident rate or safety concern for the public, and it was closed. BLM lands and minerals staff identified a few generally one-way facility ingress and egress routes that also were safety concerns and these were designated limited.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas.

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There are unique cultural and archeological sites within the project area. The proposed plan amendment provides for increased conservation of these areas, while allowing recreational use of the project area. There are ecologically critical areas, eligible wild and scenic rivers, wilderness study areas, wetlands and riparian areas within the project area. Many of these sensitive resource values already have been included within ACECs and had at least partial route designation to protect the sensitive resources identified within their boundaries. The proposed plan amendment continues, and where appropriate, provides increased conservation of these areas. There are no park lands, prime farm lands, and floodplains within the affected NEMO Routes planning area.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects of the proposed plan amendment on the quality of the human environment were addressed in the Environmental Assessment. Although there are effects that are clearly identified, strategies have also been built into the proposed plan amendment to greatly offset these effects. In addition, the effects for the proposed plan amendment are fewer and have lower intensity than the current conditions, including those for air quality, cultural and paleontological resources, and sensitive species. All activities on public lands in southern California have some level of controversy, including route designations. The relative public controversy for this effort may be indicated by the relatively low turnout for the five public scoping meetings for the NEMO Routes Plan.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The proposed plan amendment is not unique or unusual. The BLM has experience developing similar plans for routes of travel in similar areas and has found effects to be reasonably predictable. The environmental effects to the human environment were analyzed in the Environmental Assessment and proposed plan amendment. There are no predicted effects on the human environment, which are considered to be highly uncertain or involve unique or unknown risks.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed plan amendment does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. The proposed plan amendment establishes a designated route system needed by the BLM for resource management within the northeastern portion of the CDCA and maintains the existing system of primary and secondary routes, as modified herein, for the motor-vehicle using public. Any future projects which require access across public lands will be evaluated through the National Environmental Policy Act process, consistent with current laws and regulations.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The proposed plan amendment was evaluated in the context of past, present, and reasonably foreseeable actions. These cumulative effects are identified in the Environmental Assessment and the NEMO EIS from which this Environmental Assessment tiers. Significant cumulative

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effects are not predicted from the proposed plan amendment, based on the modest level of overall access change that would occur as a result of the designations herein.

8) The degree to which the action may adversely affect the districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.

The proposed plan amendment will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor will the proposed plan amendment cause loss or destruction of known significant scientific, cultural, or historical resources. The cultural resource survey strategy and subsequent conservation strategies that are identified in the proposed plan amendment will help in the identification and conservation of undocumented cultural and paleontological resources.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

BLM consulted with the USFWS concerning the desert tortoise, the southwestern willow flycatcher, and the least Bell's vireo, and terms and conditions were not imposed by the USFWS. The proposed plan amendment was specifically designed to conserve these species by limiting access in nesting areas, rehabilitating impacted areas, clear signing of routes, and providing public education and information. In critical habitat of other listed species, few or no routes currently exist and all routes that were not already closed would be closed under the proposed action.

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The approved plan amendment does not violate any known Federal, State, or local law or requirement imposed for the protection of the environment. The Environmental Assessment and supporting project record contain discussions pertaining to the Endangered Species Act, National Historic Preservation Act, Clean Water Act, Clean Air Act, and Executive Order 12898 (Environmental Justice). State, local, and tribal interests were consulted during the environmental analysis process. Furthermore, the approved plan amendment is consistent with applicable land management plans, policies, and programs.

V. MITIGATION MEASURES

Conservation measures have been built into the proposed action for protection of cultural resources and other specific sensitive resource values that may be identified in the future. The cultural resource strategy that is identified in the proposed plan amendment is the result of dialogue with the State Historic Preservation Office to minimize loss of important sites along existing unsurveyed routes. As a result, a phased survey and protection strategy has been adopted for the Environmental Assessment and proposed plan amendment. These strategies will aid in the conservation of important cultural resources along designated open routes.

VI. PLAN MONITORING, EVALUATION, AND ADAPTIVE MANAGEMENT

BLM will conduct monitoring in sensitive areas of the NEMO Routes Plan area based on (1) the Amargosa ACEC Plan which is under development, and which will be incorporated by reference and may include triggers based on visitor use and on (2) the Inyo California towhee monitoring strategy development in the West Mojave Plan. Since the desert tortoise is the most wide-spread species present throughout much of the project area, it can be used as an indicator species to monitor the condition of the project area. The desert tortoise monitoring program includes a data base of confirmed observations along the route network of desert tortoises that were killed or injured, with locations, and assessment of whether desert tortoise was affected by casual use. This information can be used to assess the condition of the project area as well as the compliance with the route designations and need for rehabilitation of a specific area. If the data indicates that a specific area has an unusual amount of take attributable to casual use, the network will be reevaluated in that area.

The processes of monitoring, evaluation, and adaptive management share the goal of improving effectiveness and permitting dynamic responses to increased knowledge and a changing landscape. The process itself will not remain static and will be periodically evaluated to ascertain if the monitoring questions and standards are still relevant, and the program would be adjusted as appropriate. Some field monitoring items may be discontinued and others added as knowledge is gained and issues change.

A. Modification of Motorized Vehicle Access Network

The CDCA Plan, Motorized Vehicle Element would be amended to adopt the following motorized vehicle access network procedures.

Any significant modifications of the motorized access network could only occur through an amendment to the CDCA Plan, including full NEPA compliance, public involvement, interagency coordination, and the preparation of a decision document for the amendment.

Minor modifications of the network during plan implementation would be allowed, however, without the necessity of a formal plan amendment. The Federal Land Policy and Management Act allows BLM resource management plans (such as the CDCA Plan) to be “maintained as necessary to reflect minor changes in data” (43 CFR 1610.5-4). Plan maintenance is limited, in that it cannot result in the expansion of the scope of resource uses or restrictions, or change the terms, conditions and decisions of the approved plan. It is limited to further refining or documenting a previously approved decision incorporated in the plan. In view of these limitations, “minor realignments” of the route network are considered to be plan maintenance, and could be made within the scope of the approved NEMO Routes Plan. “Minor realignments” could include the following examples:

- Minor realignments of a route necessary to avoid cultural resources sites identified during the process of surveying and complying with Section 106 of the National Historic Preservation Act.

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- Minor realignments of a route necessary to reduce impact on newly identified listed or BLM-sensitive species or their habitats, a newly found migratory bird nest adjacent to a route, seasonal closure for lambing season if appropriate, etc.
- Minor realignments of a route that would substantially increase the quality of overall network access or a recreational experience, but that would not affect sensitive species or their habitat, or any other sensitive resource value.
- Minor realignments or upgrades of a route necessary to provide reasonable access to permitted facilities that would not affect sensitive species or their habitat, or any other sensitive resource value.
- Opening, limiting, or closing a route where valid rights-of-way or easements of record were not accurately identified in the route designation process, or where BLM is able to get landowner permission for right of access previously not assumed.

The reason for the alignment change will be recorded and kept on file in the affected BLM Field Office, and the change noted in the CDCA Plan. Changes and realignments of more than one linear mile of one designated route would require additional planning and/or NEPA compliance, as appropriate. The construction of a new access route involving new ground disturbance would require additional consultations, as appropriate.

Route designation on newly acquired lands will be scheduled to occur at reasonable intervals based on acreage and route network within acquired lands, would comply with applicable federal regulations and statutes, and would be incorporated into the overall route implementation process. New route networks on acquired lands would be required to be complementary to the network resulting from alternative implementation.

B. Implementation

The following process would guide implementation of the NEMO Routes motorized-vehicle access network. This process would not require amendment of the CDCA Plan, and may be modified based on available resources and experience.

CDCA has adopted a new signing policy—the California Desert District Sign Policy (June 15, 2004), adopted herein. In any case where there may be a potential conflict with this record of decision, the current CDCA sign policy prevails. Past experience in the California Desert has generally shown that the most effective signing protocol (i.e. greatest public compliance) is one in which the routes designated open would be signed. Closed routes would not be signed. Closed routes would be reclaimed, either naturally or using proactive techniques such as vertical mulching. Due to monetary and staffing constraints, as well as the remoteness of much of the NEMO region, routes designated closed would be left to natural reclamation where possible and where this would be effective. Additional strategies are identified in the District Sign Policy. In those areas where environmental concerns are more profound (e.g. continuing trespass into wilderness areas or within habitat of threatened and endangered species and BLM-sensitive plants) or where the intensity of use is such that additional steps are necessitated, vertical mulching to the line-of-sight would be favored over natural reclamation.

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Each BLM Field Office would prioritize the areas and the routes to be addressed first. The range of actions and their intensity would vary based upon a number of factors including assessed need and available resources, that could include law enforcement, various forms of public education and other means, as well as signing and vertical mulching. A BLM Field Office might choose to involve the public as it prioritized these efforts and could employ options like those discussed below for monitoring route needs or prioritizing the maintenance of routes.

The implementation of the route system and its maintenance would begin with a first phase consisting of route management actions such as:

- Open route signing and signage on open routes adjacent to private property indicating private property boundary.
- Open route maintenance, with an emphasis on making the open network of routes more obvious and attractive to use than the closed routes. Existing park ranger and maintenance staff would do this during route signing and sign maintenance.
- Hand raking and disguise of prominent closed routes, including lining small rocks, boulders, barriers, etc., across closed routes to help discourage use.

Proactive route rehabilitation work would be utilized where the first phase has not proven to be successful or where route conditions were clearly beyond the capability of the first phase to address. Although rehabilitation is recognized as a second phase, planning for this phase, including the securing of funding, should begin early. Having route designations in place would enhance the availability of funds, and would allow the BLM to pursue external sources of rehabilitation funding such as Off-Highway Motor Vehicle Recreation Commission grants, the National Fish and Wildlife Habitat Fund, and contributions of volunteer labor from local, state, and national interest organizations.

The successful implementation of a new route network should proceed by carrying out these steps in the following order:

- Pursue funding for signage and the staff necessary to implement the route signing effort (i.e. both law enforcement and maintenance staff).
- Pursue funding for route rehabilitation.
- Sign the open route network (do not sign the closed route network).
- Maintain the open route network with the principal goal being to make the open route network more attractive for use than the closed route network.
- Make ample use of the tools such as the York Rock Rake to shape, clear and contour the open route network.
- Install informational kiosks and interpretive signing where it would be most effective. Site these facilities where they would reach the greatest number of visitors and where they would target an audience that might be the most receptive to such facilities.
- Develop and publish maps that are up-to-date, readily available and have a readily understandable and useful format. For example, many visitors are familiar with the informational format employed by USGS quadrangle sheets. The Friends of Jawbone have published a map which has proven very popular among users to that region and that

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might serve as a good “for purchase” template. The Off-Highway Motor Vehicle Recreation Division of California State Department of Parks and Recreation has produced a series of inexpensive pocket maps for each of its facilities that may serve as a good template for very inexpensive or free maps.

- Regularly maintain signs, kiosks, routes, maps and brochures. At such time as additional funds are available for law enforcement and rehabilitation, the following steps should be taken:
 1. Begin route rehabilitation in priority areas.
 2. Route rehabilitation would require active maintenance for at least one year.
 3. Initiate enforcement and visitor service patrols with the following caveats: do not over-commit and funding must be available to sustain the new patrol for a period of at least two years.
 4. As enforcement efforts move into new areas, inappropriate use could migrate back to areas where the program had already been implemented. Address this by allocating more funding to new areas, as there would still be a residual cost to maintain the first (earlier implemented) area.

A long-term goal would be development of a Volunteer Visitor Service Corps that will work with recreation staff will build a strong collaborative relationship between BLM and user groups and within user groups. This may provide an optimal strategy to handle non-law-enforcement tasks.

VII. PUBLIC INVOLVEMENT

The Council on Environmental Quality regulations (40 CFR 1501.7) and BLM planning regulations (43 CFR 1610) require an early and open process (scoping) for determining the planning issues. The regulations also require that agencies provide opportunities for public involvement in the planning process, including review of the planning criteria as appropriate. Planning criteria have included criteria used in the NEMO EIS process and additional criteria specific to this effort and are outlined in Chapter One of the proposed NEMO Routes Plan document. Public comments for route designation in the NEMO planning area have been taken into consideration in their development, as well as scoping comments for this EA document. Efforts have been made to make the public aware of the planning process and of opportunities for involvement.

For the scoping phase, more than 1,500 project announcements were mailed to interested parties. A notice was published in the Federal Register on April 18, 2003 and started a 45-day public comment period. The notice of the intent to prepare a plan amendment was also announced on the Barstow Field Office’s webpage, through Newsbytes (BLM’s digital newsletter), press releases and through briefings to the California Desert District Advisory Council and counties. Five public meetings were held in early to mid May in Yucca Valley, Las Vegas, Tecopa, Ridgecrest and Independence. Hundreds of comments were received during this scoping period by letter, e-mail, and/or testimony at public meetings. Total attendance at the five public meetings was 50 people.

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Attendees of public meetings were asked to provide input into the baseline or alternatives within 90 days. Several of the same comments came from different individuals and 44 unique comments were received. These are listed in Chapter 5 of the Proposed Plan and EA. After the scoping meetings, CD ROM versions of the 7.5 minute maps of the existing designated route network were sent out to interested organizations and individuals for their review, and a follow-up postcard was sent out to update the mailing list. Based on the responses, the mail list was updated to approximately 400 interested individuals, and through subsequent follow-up, the mail list is now at approximately 450. Some 167 additional route-specific comments were received as the result of feedback from the CDs sent out and follow-up on-the-ground field trips and staff review during and after the end of the scoping period in the spring and autumn of 2003.

A notice of availability of a proposed plan amendment was announced on the Barstow Field Office's Web Page and through press releases on April 21, 2004. BLM held five public meetings in early May 2004 to brief the public on the content of the proposed plan amendment, how to review the contents of the proposed plan, as well as the timeline for the remainder of the planning process.

A. Agency and Local Coordination

BLM has consulted with a number of entities on this project in general, and on specific OHV route designations in particular. Some of these entities include Mono, Imperial, and San Bernardino counties, the USFWS, the State Historic Preservation Office and tribal councils with interest in the project area. The USFWS issued a biological opinion on June 7, 2004. The California Department of Parks and Recreation identified specific route changes to promote compatibility with the State Park OHV Recreation Area. In addition, this project was discussed with members of environmental groups and with recreational users that enjoy OHV use, hiking, camping, horseback riding, rock collecting, hunting and backpacking. The California Desert District Advisory Council, Inyo County Collaborative Planning Team, and the Ridgecrest BLM Steering Committee were briefed regularly, as well as various local groups.

B. Consistency Reviews

In accordance with BLM resource management planning regulations (43 CFR 1610.3-2) BLM must identify any known inconsistencies with State or local plans, policies, or programs. BLM provided the Governor with up to 60 days in which to identify any inconsistencies and submit recommendations. No inconsistencies have been identified by the Governor's review for the proposed NEMO Routes of Travel plan amendment. The Governor's consistency review identified continued coordination with State and local agencies, and continued work towards threatened and endangered species conservation as ongoing goals.

Several other CDCA plan amendments have been or are concurrently being developed for other regions in the CDCA, as discussed in the cumulative impacts section. Those decisions that are common among these amendments have been developed to be consistent with each other.

CONTACT PERSON:

For additional information concerning this decision or the BLM administrative review process contact Edy Seehafer, Barstow Field Office, 2601 Barstow Road, Barstow, CA. 92321; telephone (760) 252-6000.

Designation of the Surprise Canyon and Furnace Creek Routes

As has been previously mentioned, both the Surprise Canyon and Furnace Creek routes are parts of two separate planning efforts. The Surprise Canyon Environmental Impact Statement is anticipated within a year. Its progress will be posted on the BLM's website at <http://www.ca.blm.gov/ridgecrest/>. The Furnace Creek Environmental Assessment should also be published within a year. Information on progress of that effort is expected to be available online at <http://www.fs.fed.us/r5/inyo/news/index.html>.